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Attorneys for Petitioners

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SHASTA STRATEGIC INVESTMENT
FUND, LLC; and PRESIDIO GROWTH
LLC (Tax Matters Partners), *et al.*,

Petitioners,

v.

UNITED STATES OF AMERICA,

Respondent.

And All Related Cases

CASE NO. C-04-4264-RS

Related to Cases No. C-04-4309-RS, C-04-4398-
RS, C-04-4964-RS, C-05-1123-RS, C-05-1996-
RS, C-05-2835-RS, and C-05-3887-RS

~~PROPOSED~~ **STIPULATION TO EXTEND
DISCOVERY**

On July 24, 2013, this Court ordered discovery be reopened and extended to November 14, 2013 pursuant to a stipulation by the below parties for several limited purposes. On October 22, 2013, this Court extended discovery to February 28, 2014 pursuant to a stipulation to allow the parties to resolve some outstanding discovery issues including the additional production of documents by several parties and the taking of depositions of designated trial witnesses. The parties now request a one-month additional extension to discovery due to some scheduling and logistics issues with the taking of some depositions of designated trial witnesses.

Pursuant to Fed. R. Civ. P. 29 and Local Rule 6-2, Petitioners Presidio Growth, LLC and Presidio Resources, LLC (“Petitioners”), Intervenor J. Paul Reddam and Clarence Ventures, LLC, Intervenor Tom Gonzales and Birch Ventures, LLC (“Intervenors”), and Respondent, the United States, hereby request that the Court permit discovery in this case to be extended for the following enumerated limited purposes until March 31, 2014:

- The parties may resolve any currently outstanding issues related to the United States’ August 22 and September 12 supplementations of its prior discovery responses.
- The parties may complete the process of production and review of the *Stein/Larson* documents, as agreed to in the parties’ prior stipulation of July 24, 2013 and October 22, 2013.
- The parties may take depositions of designated trial witnesses that have not yet been deposed in this case.¹ In so stipulating to this extension, counsel for the United States does not agree, at this time, to use of any such depositions in connection with pending dispositive motions.

¹ It is the United States’ position that depositions should be limited to witnesses listed on *adverse parties’* trial witness lists, exchanged on September 30, 2013. However, the Intervenor disagrees, and the parties are continuing to work to resolve this dispute without the Court’s intervention.

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2 Dated: January 13, 2014

Respectfully submitted

3 /s/ Nicholas Y. Lin

/s/ James E. Weaver [by permission]

4 NICHOLAS Y. LIN

JAMES E. WEAVER

5 Latham & Watkins

Trial Attorney

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Tax Division, Department of Justice

Attorney for Respondent

6 /s/ Jessica C. Munk [by permission]

/s/ Dashiell C. Shapiro [by permission]

7 JESSICA C. MUNK

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8 Law Office of David W. Wiechert, Attorney
9 for Intervenors J. Paul Reddam and
Clarence Ventures

Wood LLP, Attorney for Intervenors
Tom Gonzales and Birch Ventures

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12 **PURSUANT TO STIPULATION, IT IS SO ORDERED.** The order of October 22,
13 2013 is modified to extend the deadline of obtaining discovery (for the limited purposes
14 enumerated in that order and above) from February 28, 2014 to March 31, 2014.

15 Dated: 1/14/14



Honorable Richard Seeborg
United States District Judge